

REMARKS

Claims 1 through 22 remain in this application.

In the outstanding official action, claims 19, 21 and 22 were rejected under 35 U.S.C. § 112, second paragraph, claims 1 through 4 and 11 were rejected under 35 U.S.C. § 102 and claims 12, 13 and 16 through 22 were rejected under 35 U.S.C. § 103(a). Claims 5 through 10, 14 and 15 were objected to as being dependent upon a rejected base claim, but were considered to be directed to patentable subject matter and therefore allowable if rewritten in independent form. Applicant respectfully traverses the objections and rejections set forth in the official action and submits that in view of the foregoing amendments and the following remarks, the claims remaining in this application are all free of the cited prior art and in proper form for allowance.

With regard to the rejection under 35 U.S.C. § 112, second paragraph, claim 19 has been amended above in a manner to obviate this rejection. In connection with the amendment, "intersecting line 48" is shown in Fig. 3 and clearly is as described in amended claim 19. Accordingly, it is believed by applicant's undersigned attorney that amended claim 19 does not include and new matter.

Regarding the rejection of claims 1 through 4 and 11 under 35 U.S.C. § 102 as being anticipated by King '399, suffice it to say that there is no express description or inherent disclosure in this reference of "a generally ring-shaped support structure" as recited in claim 1. It should particularly be noted in connection with the foregoing, that in Fig. 3 of King '399, "conduit 11 is shown in a cutaway fashion" so as to "visualize the actual mixing elements." (See col. 3, ll.23-24.) That is to say, the conduit 11 is continuous and the strips labeled with the reference numerals 27, 28 (which are defined as being the housing) are the result of the depiction and do not exist in reality but appear only because the portions of the housing or conduit 11 between and on the upstream and downstream sides of the strips 27, 28 have been cutaway in the drawing. In view of the foregoing,

the rejection of claims 1 through 4 and 11 under 35 U.S.C. § 102 as being anticipated by King '399 is not supported by the record and should be reconsidered and withdrawn.

Regarding the rejection of claims 1 through 4 and 11 under 35 U.S.C. § 102 as being anticipated by Carter, suffice it to say that in the Carter structure, each oblique plane includes only a single component. There is simply no express description or inherent disclosure in this reference of "a plurality of said components in each said plane, which components of each plane are spaced apart to provide openings for fluid flow," as recited in claim 1. In view of the foregoing, the rejection of claims 1 through 4 and 11 under 35 U.S.C. § 102 as being anticipated by Carter is not supported by the record and should be reconsidered and withdrawn.

Turning now to the rejection of claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over King '399 or Carter in view of King '440, not one of the references cited by the examiner discloses or suggests the use of a plurality of elements which are stacked in a flip-flopped arrangement. Thus, in claim 12, the "second edge surfaces ... are disposed in mated, contacting relationship. And since the elements are the same, one of them must be upside down relative to the other one. This same sort of arrangement is also called for in claim 13, except that in this case the stack includes four elements. In view of the foregoing, the rejection of claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over King '399 or Carter in view of King '440 is not supported by the record and should be reconsidered and withdrawn.

With regard to the rejection of claims 16 through 22 under 35 U.S.C. §103(a) as being unpatentable over King '399 or Carter in view of King '440, these claims all depend either directly or indirectly from claim 1. Claim 1 was rejected only under 35 U.S.C. § 102 and that rejection has been traversed on the basis that King '399 does not show "a generally ring-shaped support structure" and Carter does not show "a plurality of ... components in each ... plane." Accordingly, there is no proper remaining rejection of claim 1 and the rejection of these dependent claims is therefore

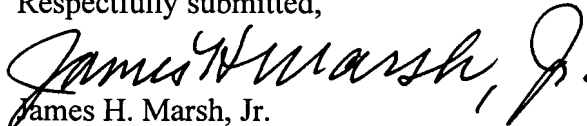


improper because neither combination of references applied by the examiner suggests a structure which includes both "a generally ring-shaped support structure" and "a plurality of ... components in each ... plane." In view of the foregoing, the rejection of claims 16 through 22 under 35 U.S.C. §103(a) as being unpatentable over King '399 or Carter in view of King '440 is not supported by the record and should be reconsidered and withdrawn.

With regard to the objected to claims, claims 5, 14 and 15 have been amended so as to present the subject matter thereof in independent form. Claims 6 through 10 depend either directly or indirectly from claim 5. Accordingly, claims 5 through 10, 14 and 15 should now be in condition for allowance.

In view of the foregoing amendments and remarks, it is submitted that the claims remaining in this application are free of the art and comply fully with all of the requirements of 35 U.S.C. § 112. Accordingly, favorable action at an early date will be appreciated. If the examiner is of the view that any issue remains unresolved, it is respectfully suggested that applicant's undersigned attorney may be contacted at the telephone number set forth below.

Respectfully submitted,


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